REMARKS

Claims 1-3, 7-8, and 31 are pending in the present application, Claim 31 was withdrawn from consideration by the Examiner.

As a preliminary matter, Applicant's representative apologizes for the typographical error in the Terminal Disclaimer filed on March 13, 2007, and submits a Substitute Terminal Disclaimer herewith to correct the error. Because the Terminal Disclaimer has already been paid for, and the Substitute Terminal Disclaimer only seeks to correct a typo, it is believed that no new fee is due, thus no fee is submitted herewith. If however, any fee is necessary, please charge such fee to Deposit Account No. 50-3120.

I. **Abstract**

The Abstract is amended herein to adopt the Examiner's suggestions and is believed to comport with the applicable requirements.

II. **Claim Rejections Under 35 U.S.C. §112**

Claim 1 was rejected as allegedly being indefinite because it was purportedly unclear how the extracted matter can be both a water extract and an organic solvent extract. Applicant respectfully submits that the claim was definite as previously presented. For example, according to example embodiments depicted in Figure 1, the residue from an organic solvent extraction is further extracted by water. As shown in Figure 1, according to example embodiments, there are two organic solvent extraction steps followed by water extraction.

Claim 1 is amended herein to further clarify that the composition is a product obtained by water extraction of a residue produced by organic solvent extraction. In view of the explanation and the amendment of Claim 1, Applicant respectfully submits that the claim is definite and withdrawal of this aspect of the rejection is requested.

Claim 30 is also rejected as allegedly being indefinite. As discussed further below, Claim 30 has been incorporated into Claim 1, without the "at least one" terminology. Accordingly, withdrawal of this aspect of the rejection is also requested.

III. Claim Rejection Under 35 U.S.C. §102

Claims 1-3, 7 and 8 were rejected as allegedly being anticipated by Koh et al. The present invention provides a composition for treating osteoporosis by suppressing a decrease of spongy bone density. The osteoporosis results from the imbalance of the bone resorption and bone formation. Bone is a dynamic tissue that is constantly being reshaped by osteoblasts rather than bone marrow cells. Thus, the use of the cited reference is different from the present invention.

Page 7 of the Action indicates that Claim 30 would be allowable if rewritten to include all of the limitations of the base claim. Without conceding the merits of the rejection, Claim 30 is incorporated into independent Claim 1 herein. Accordingly, in view of this amendment, and the amendments and arguments above to overcome the §112 rejections, Claim 1 (and all the claims dependent therefrom) are believed to be in condition for allowance.

IV. Request for Reconsideration of Non-elected Claim 31.

Upon allowance of Claims 1-3 and 7-8, Applicant respectfully requests that the Examiner substantively consider Claim 31. Embodiments where the *Cordyceps sinensis* is mycelium of *Cordyceps sinensis* has already been searched and examined with respect to dependent Claim 3. Although Claims 1 and 31 do not identically overlap, enough searching has been performed already with respect to mycelium of *Cordyceps sinensis*, that Applicant hopes the Examiner can consider this additional claim without much additional burden, and Applicant requests such action.
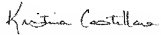
If Claim 31 is not considered, Applicant will cancel Claim 31 upon an indication that Claims 1-3 and 7-8 are allowable.

V.   Conclusion

Should the Examiner believe that further discussion of any remaining issues would advance the prosecution, she is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,

Date December 27, 2007   By _____

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